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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**ALLOWED: September 14, 2004 CONFIRMATION NO. 6005**

APPLICANTS: Takatomo Nishino, et al. ATTY. DOCKET NO. 09792909-5658  
S/3  
SERIAL NO.: 10/629,419 GROUP ART UNIT: 1742  
FILING DATE: July 29, 2003 EXAMINER: N. T. Mai  
INVENTION: "NEGATIVE ELECTRODE ACTIVE MATERIAL, METHOD OF PRODUCING THE SAME, AND NONAQUEOUS ELECTROLYTE CELL"

**RESPONSE TO REASONS FOR ALLOWANCE**

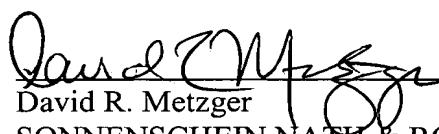
Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

SIR:

This is a disavowal of any acquiescence in any particular claim interpretation that might be attributed to the examiner in the reason for allowance. Claim interpretation is established as a matter of law by the courts during appropriate adversarial proceedings. Any comment made by the examiner is not necessarily shared by applicant(s). Applicant(s) do/does not waive any right to establish any claim interpretation, albeit different or even contrary to the examiner's interpretation, that can be supported by the record in this matter.

Moreover, while applicant(s) believe/believes at least the allowed claims are allowable at least for the reasons of record, there might be other bases for allowability not yet fully explored or established. The reason for allowance sets forth only one view expressed by the examiner.

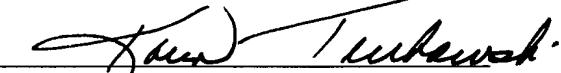
Respectfully submitted,

  
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CERTIFICATE OF MAILING

I hereby certify that this Submission is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 18, 2004.

  
Karen Turkowski  
October 18, 2004